

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Schmeichel et al.	Attorney Docket No.: A20-011-05-US
Application No.: New	Group Art Unit:
Filed: Herewith	Examiner:
Title: TONNEAU COVER APPARATUS HAVING REAR BAR LOCK	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR §§ 1.97 and 1.98, Applicants in the above-identified application submits this Information Disclosure Statement together with a substitute for form PTO-1449 enclosed herewith to bring to the Examiner's attention documents of which Applicants are aware and which may have some bearing on the examination of this case.

Applicants, by submitting the listed documents, do not represent any of the documents to be prior art to this application, and expressly reserve the right, under 37 CFR § 1.131, to establish otherwise. Applicants do not represent the listed documents to be material to the examination of the application, but have cited same to make it clear beyond all doubt that Applicants have complied with the Duty of Disclosure. Furthermore, this disclosure statement is not to be construed as a representation that a search has been conducted by Applicants or that no other material information exists. A copy of each identified non-patent literature document is submitted herewith.

REMARKS

Applicants request that each of the listed documents be considered by the Examiner and made of record in the present application under 37 CFR § 1.104.

Respectfully submitted,
for the Applicants
by their attorneys,

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(612) 332-8200

Date: Sept. 23, 2003

By: 
Robert C. Freed, Registration No. 32,569

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PTO/SB/081 (10-96)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known	
			Application Number	New
			Filing Date	Filed Herewith
			First Named Inventor	Schmeichel et al.
			Group Art Unit	
			Examiner Name	
Sheet	1	of 3	Attorney Docket Number	A20-011-05-US

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	U.S. Class/Subclass
		Kind Code ² Number (if known)				
		1,500,091		Weiske et al.	07-01-1924	296/95.1
		2,906,323		Macy	09-29-1959	160/62
		4,036,521		Clenet	07-19-1977	296/100
		4,272,119		Adams	06-09-1981	296/100
		4,757,854		Rippberger	07-19-1988	160/391
		4,838,602		Nett	06-13-1989	296/100
		4,923,240		Swanson	05-08-1990	296/100
		5,040,843		Russell et al.	08-20-1991	296/98
		5,058,652		Wheatley et al.	10-22-1991	160/327
		5,076,338		Schmeichel et al.	12-31-1991	160/368.1
		5,174,353		Schmeichel et al.	12-29-1992	160/368.1
		5,251,951		Wheatley	10-12-1993	296/100.15
		5,263,761		Hathway et al.	11-23-1993	296/100

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Kind Code ⁵					
		Office ³	Number ⁴ (if known)				

OTHER DOCUMENTS — NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Photocopy of a picture taken in September, 1999, of a tonneau cover product shown at the Big Iron Farm Show in Fargo, ND, by Shur-Co, Inc. of Yankton, SD

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		5,350,213	Bernardo	09-27-1994	296/98
		5,364,154	Kaiser	11-15-1994	296/100
		5,480,206	Hathaway, et al.	01-02-1996	296/36
		5,487,585	Wheatley	01-30-1996	296/100
		5,522,635	Downey	06-04-1996	296/100
		5,540,475	Kersting, et al.	07-30-1996	296/100
		5,553,652	Rushford	09-10-1996	160/354
		5,584,521	Hathaway et al.	12-17-1996	296/36
		5,655,808	Wheatley	08-12-1997	296/100
		5,758,922	Wheatley	06-02-1998	296/100
		5,765,902	Love	06-16-1998	296/100
		5,788,315	Tucker	08-04-1998	296/100
		5,860,691	Thomsen, et al.	01-19-1999	296/100.18

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		Drawing of a tonneau cover product shown in September, 1999 at the Big Iron Farm Show in Fargo, ND, by Shur-Co, Inc. of Yankton, SD

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		5,906,407	Schmeichel	05-25-1999	296/100.15
		5,921,603	Karrer	07-13-1999	296/39.2
		6,024,401	Wheatley	02-15-2000	296/100.18
		6,024,402	Wheatley	02-29-2000	296/100.18
		6,030,021	Ronai	02-29-2000	296/98
		6,053,556	Webb	04-25-2000	296/98
		6,053,558	Weldy et al.	04-25-2000	296/100.17
		6,234,561	Huotari	05-22-2001	296/100.15
		6,257,306	Weldy	07-10-2001	160/327
		6,257,647	Ninness et al	07-10-2001	296/100.15
		6,264,266	Rusu et al	07-24-2001	296/100.07
		6,439,640	Wheatley	08-27-2002	296/100.18

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